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5 **IN THE UNITED STATES DISTRICT COURT**
6 **FOR THE DISTRICT OF ARIZONA**
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8 United States of America,)

9 Plaintiff,)

10 vs.)

11 Francisco Talamante-Diaz,)

12 Defendant.)

No. 08-6129M

ORDER

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14 Having considered the Motion of the Defendant to allow the Government additional time
15 under the Speedy Trial Act to file an indictment, together with the Government's response to
16 that motion, the Court finds that the ends of justice served by granting the extension outweigh
17 the best interest of the public and the Defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

18 In making this finding, the Court has considered each of the factors specified in 18
19 U.S.C. § 3161(h)(8)(B). In addition, the Court has considered the following:

- 20 1. Counsel has only recently been appointed for the Defendant.
- 21 2. The Government's policy, which is well known to the Court through proceedings in
22 previous cases involving numerous defendants, provides a sentencing incentive to encourage
23 early pleas of guilty in cases brought pursuant to 8 U.S.C. § 1326.
- 24 3. The savings in time by expediting the proceedings in appropriate cases serves the
25 public interest by reducing the costs of detention, prosecution and defense as well as in bringing
26 such charges to a prompt resolution.
- 27 4. The avoidance of grand jury proceedings with the voluntary consent of a defendant,
28 when appropriate, reduces the number of proceedings required to bring a criminal matter to a
prompt resolution.

